

PROPOSED REVISIONS TO THE RULES GOVERNING THE RECORDING OF JUDICIAL PROCEEDINGS

The Committee on Rules Governing the Recording of Judicial Proceedings is considering whether to recommend proposed amendments to their rules for the Supreme Court's consideration. If you would like to comment on the proposed amendments set forth below before they are submitted to the Court for final consideration, you may do so by either submitting a comment electronically through the Supreme Court's web site at <http://nmsupremecourt.nmcourts.gov/> or sending your written comments to:

Kathleen J. Gibson, Clerk
New Mexico Supreme Court
P.O. Box 848
Santa Fe, New Mexico 87504-0848

Your comments must be received by the Clerk on or before June 8, 2009, to be considered by the Court. Please note that any submitted comments may be posted on the Supreme Court's web site for public viewing.

22-202. ~~[Certification]~~ **Licensing of firms engaged in court reporting or tape monitoring.**

A. **Registration.** All firms providing court reporting or court monitoring services in this state must be ~~[registered and]~~ licensed by the board.

B. **Application for firm license.** An applicant for a firm court reporting or court monitoring license shall:

(1) pay an initial and annual registration fee prescribed by the board; ~~[and]~~
(2) establish annually that the applicant is partially owned by a New Mexico certified court reporter or a New Mexico certified court monitor;

(3) establish annually that persons employed by the applicant who are not licensed by the Board Governing the Recording of Judicial Proceedings do not have the right to control the professional judgment of any certified court reporter or certified court monitor; and

~~[(2)]~~ (4) provide information requested by the board on the board's approved application form, including, but not limited to, firm structure, address of the firm, telephone number of the firm, names of the owners, certification numbers of the owners, names and certification numbers of employees, copies of current firm licenses and federal, New Mexico, and all other state tax identification numbers.

C. **Notice of changes.** If a licensed firm has a change of ownership or there is any other change in the information provided on the form for registration, the firm shall file an amended form of registration with the board administrator within thirty (30) days after the change occurs.

D. **Compliance required.** Firms shall comply with the regulations that apply to court reporters and court monitors. Failure to comply with the provisions of this rule shall be grounds for a fine, suspension, revocation, refusal to renew any firm's registration or a combination of any of the these penalties.

E. **Audio/digital audio recording as record.** In the event the firm employs court monitors, the audio/digital audio recording shall be the record of proceeding.

[Adopted, effective January 1, 1983; as amended, effective February 15, 1986; June 1, 1986; December 1, 1993; February 16, 2004; as amended by Supreme Court Order No. _____,
effective _____.]
